HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 6325 OF 2007

DATED: 29.3.2007

Between:

Huda Urban Forestry, rep. By its President, D.Kishore

..Petitioner

and

Hyderabad Urban Development Authority, Hyderabad, rep. By its Vice Chairman and another

…Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.6325 OF 2007

ORAL ORDER:

The writ petition is misconceived. The respondents in particular the 1st respondent has issued a tender notification dated.12-03-2007 inviting applications for grant of contracts for maintenance of parks administered by the 1st respondent. The petitioner assails this tender notification as illegal and violative of Article.21 of the Constitution.

According to the petitioner-a union of casual workers engaged in Hyderabad Urban Forestry Works, its members are employed by the 1st respondent on consolidated pay at Rs.2,500/- per month in the maintenance of the forests administered and maintained by the 1st respondent. As there was no increase in the wages and even minimum wages were not being paid, the petitioner made representations. On such representations, the 2nd respondent by a proceeding dated.05-08-2005 fixed the minimum wages payable to the members of the petitioner-Union. The wages were further enhanced on 18-10-2006. As the wages were enhanced but not paid, the petitioner filed W.P.No.2654 of 2006 seeking payment of the minimum wages. The said writ petition is pending. While so the impugned tender notification is issued, is the complaint.

The learned counsel for the respondents states that no such tender notification could have been issued during the

pendency of W.P.No.2654 of 2006. This is a contention that is stated to be rejected. The earlier writ petition filed is seeking payment of the minimum wages as already determined by the respondents. That writ petition or its pendency in no way disables the respondents from farming out the works relating to the maintenance of the forests under the control of the 1st respondent, to Contractors. The members of the petitioner-Union are admittedly under casual employment; they are not regular employees of the corporation.

In the circumstances and on the aforementioned facts the petitioner is not entitled to any relief. The writ petition is accordingly dismissed.

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GODA RAGHURAM,J

29th MARCH,2007
*TSNR